



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 1
PART II—Section 1

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 35) नई दिल्ली, शुक्रवार, अक्टूबर 7, 1983/अश्विन 15, 1905 (साक़ा)
No. 35 NEW DELHI, FRIDAY, OCTOBER 7, 1983/ASVINA 15, 1905 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 7th October, 1983/Asvina 15, 1905 (Saka)

THE PUNJAB DISTURBED AREAS ORDINANCE, 1983

No. 5 OF 1983

Promulgated by the President in the Thirty-fourth Year of the
Republic of India.

An Ordinance to make better provision for the suppression of
disorder and for the restoration and maintenance of public
order in disturbed areas in Punjab.

WHEREAS by a Proclamation issued on the 6th day of October, 1983 by
the President under article 356 of the Constitution the powers of the Legislature
of the State of Punjab have been declared to be exercisable by or under the
authority of Parliament;

AND WHEREAS Parliament is not in session and the President is satisfied
that circumstances exist which render it necessary for him to take immediate
action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of
article 123 of the Constitution and of all other powers enabling him in that
behalf, the President is pleased to promulgate the following Ordinance:—

Short
title,
extent
and com-
mence-
ment.

1. (1) This Ordinance may be called the Punjab Disturbed Areas Ordinance, 1983.

(2) It extends to the whole of the State of Punjab.

(3) It shall come into force at once.

Definition.

2. In this Ordinance, "disturbed area" means an area which is for the time being declared by notification under section 3 to be a disturbed area.

Powers to
declare
areas to
be dis-
turbed
areas.

3. The State Government may, by notification in the Official Gazette, declare that the whole or any part of any district of Punjab as may be specified in the notification is a disturbed area.

Power
to fire
upon
persons
contra-
vening
certain
orders.

4. Any Magistrate or Police Officer not below the rank of Sub-Inspector or Havildar in case of the Armed Branch of the Police may, if he is of opinion that it is necessary so to do for the maintenance of public order, after giving such due warning, as he may consider necessary, fire upon, or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area, prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons or of fire-arms, ammunition or explosive substances.

Powers to
destroy
arms
dump,
fortified
positions,
etc.

5. Any Magistrate or Police Officer not below the rank of a Sub-Inspector may, if he is of opinion that it is necessary so to do, destroy any arms dump, prepared or fortified position or shelter from which armed attacks are made or are likely to be made or are attempted to be made or any structure used as training camp for armed volunteers or utilized as a hideout by armed gangs or absconders wanted for any offence.

Protec-
tion of
persons
acting
under
sections
4 and 5.

6. No suit, prosecution or other legal proceedings shall be instituted except with the previous sanction of the State Government against any person in respect of anything done or purporting to be done in exercise of the powers conferred by sections 4 and 5.

ZAIL SINGH,
President.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.